

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

ROSLYN LA LIBERTE,

Plaintiff,

v.

JOY REID,

Defendant.

Civil Action No.: 1:18-cv-5398-DLI-VMS

Hon. Dora L. Irizarry

**JOINT PROPOSED DISCOVERY PLAN  
AND STATUS REPORT**

1. **Case Status.** By judgment dated September 30, 2019 this Court granted “in its entirety” defendant’s motion to dismiss the amended complaint under Fed. R. Civ. Pro. 12(b)(6) and to “strike” the pleading under California’s anti-SLAPP statute, Cal. Civ. Pro. Code §425.16 and granted defendant leave to seek attorneys’ fees and costs pursuant to Cal. Civ. Pro. Code §425.16(c)(1).

By decision dated July 15, 2020, *La Liberte v. Reid*, 966 F.3d 79 (2d Cir. July 15, 2020), the Court of Appeals for the Second Circuit vacated this Court’s judgment and remanded the case for further proceedings consistent with the appellate court’s opinion. On August 7, 2020 defendant petitioned the Court of Appeals for the Second Circuit for rehearing, and rehearing *en banc*. This petition was denied by order dated September 25, 2020. The mandate of the Court of Appeals issued on October 2, 2020. On remand, by order dated November 11, 2020, this Court denied defendant’s motion for attorneys’ fees and costs.

On October 30, 2020 defendant served her answer to the amended complaint, with defenses.

2. **Rule 26(f) Conference.** The parties have met pursuant to Fed. R. Civ. P. 26(f) on November 25, 2020, and have conferred thereafter, but have so far been unable to reach agreement upon the scope of discovery and the continued viability of certain defenses raised in defendant’s answer to the amended complaint filed October 30, 2020 in light of the July 15, 2020 decision of the Court of Appeals. The parties accordingly jointly request the Court to schedule an initial conference to discuss the resolution of such issues.

3. **Initial Disclosures.** The parties have agreed to exchange initial disclosures on December 14, 2020, subject to objections to certain such disclosures by reason of the July 15, 2020 decision and mandate of the Court of Appeals.

[signatures on following page]

Dated: December 9, 2020

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